



O.P.No.836 of 2023

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N.SATHISH KUMAR, J.

This Petition has been filed under Section 372 of the Indian Succession Act read with Order XXV Rule 6 of the Madras High Court Original Side Rules, to grant succession certificate in favour of the second petitioner.

2. Heard the learned counsel for the petitioners.

3. It is the case of the petitioners that the first petitioner is the mother of the deceased L.Nanda Kumar and second petitioner is his wife and third and fourth petitioners are their son. The said L.Nanda Kumar died intestate on 05.04.2023. The petitioners are Class I legal heirs of the deceased. The deceased L.Nanda Kumar died intestate and though due and diligent search has been made for a Will, none has been found in respect of the debts mentioned in the schedule. There is no other person to be impleaded in this petition. The deceased left the amount specified in the Schedule, within the jurisdiction of this Court. The debts in respect of which succession certificate is required for the value of Rs.1,13,09,133/-. The petitioners 1, 3 and 4 have given consent



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affidavits for grant of succession certificate in favour of the second petitioner.

Hence, the petitioners have approached this Court for grant of succession certificate in favour of the second petitioner with power to collect the debts as specified in the schedule.

4. The second petitioner was examined as P.W.1 and marked Exs.P1 to Ex.P.4.

5. P.W.1 in her evidence had narrated the averments made in the petition stating that the petitioners have filed this petition for grant of Succession Certificate in favour of the second petitioner. Ex.P.1 is the computer generated death certificate of the deceased L.Nanda Kumar. Ex.P.1 has been filed to show that the deceased L.Nanda Kumar died on 05.04.2023. Ex.P.2 is the computer generated legal heir certificate of the deceased L.Nanda Kumar. Ex.P.2 shows that the petitioners are the class I legal heirs of the deceased L.Nanda Kumar. Ex.P.3 had been filed to show the assets of the deceased L.Nanda Kumar. Ex.P.4 is the Paper publication and none objected for the same.



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6. On perusal of the above evidence, this Court is of the view that the evidence substantiate the stand of the petitioners and prove that the petitioners are the legal heirs entitled to succeed the estate left by the deceased. Therefore, the petition is ordered as prayed for and a direction for grant of Succession Certificate in favour of the second petitioner with power to collect and to receive deposit specified in the schedule together with interest as applicable till the date of withdrawal, is issued.

19.03.2024

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